S.B. CIVIL WRIT PETITION NO.159/2005
Smt. Nirmala Bachhawat Vs. State of Raj. and others.

Date : 1.4.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. D.L.R. Vyas, for the petitioner.

Mr. Mahesh Thanvi, for the respondent no.3.

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Heard learned counsel for the parties.

The grievance of the petitioner is that the petitioner applied for conversion of land by submitting an application before the Land Conversion Officer, copy of which is placed on record as Annex.1.

According to learned counsel for the petitioner, the application has not been decided by the prescribed authority and the matter is pending before the District Collector, Jodhpur. It is submitted that the Additional District Collector, Jodhpur exercising the powers of District Collector, Jodhpur sought certain information from S.D.O., Phalodi by issuing letter dated 1.3.2004 but no further action was taken.

According to learned counsel for the petitioner, the queries raised by the Additional Collector were not tenable and the petitioner already deposited the requisite conversion charges. It is also submitted that in any case, the prescribed authority is under obligation to decide the application of the petitioner.

Learned counsel for the respondent no.3 submits that

since certain information was sought, therefore, the matter was not decided.

The facts mentioned above reveals that the land conversion application submitted by the petitioner is pending and has not been decided by the prescribed authority.

In view of the above discussion, this writ petition is allowed and it is ordered that the petitioner's application for land conversion be decided by the prescribed authority within a period of two months from the date of receipt of certified copy of this order which may be filed by the petitioner. The said application may be decided by a brief reasoned order strictly in accordance with law.

(PRAKASH TATIA), J.

S.Phophaliya